

11 CIV. 9136UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEISHA JONES

Plaintiff,

- against -

EQUIFAX, INC.

EXPERIAN INFORMATION SOLUTIONS, INC.

TRANS UNION, LLC

BILATERAL CREDIT CORP, LLC

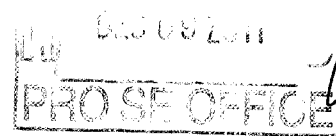
HAHNEMANN UNIVERSITY HOSPITAL

CENTRAL FINANCIAL CONTROL

COMCAST CABLE

Defendants.

Case No.

COMPLAINT**JURY DEMAND****SUMMARY STATEMENT**

1. I, Keisha Jones, am a life long New York State resident and Pro Se Plaintiff.
2. On or about January 31, 2005, I confirmed that my identity was stolen and being used primarily in Pennsylvania. I immediately filed reports with the NYPD and FTC, placed fraud alerts (90 days), extended fraud alerts (7 years), free permanent security freezes on my credit reports soon after the security freeze law was enacted in New York and chose to permanently opt out of promotional offers. Additionally, in 2005 I was advised by Pennsylvania police that I could not file a police report because I did not live in the state.
3. Loss of my financial creditworthiness and ongoing fear of false arrest, as a direct result of fraud, has been debilitating. Defendants refuse to remove fraud from my credit reports, further perpetuating inquiries by questionable debt collectors and irrevocable dissemination of my personal information, as fraudulent accounts are sold and resold.

4. Prior to identity theft, I proactively managed my credit by maintaining credit scores above 720, reviewing my credit reports routinely for accuracy and adding consumer statements when necessary.

5. Rebuilding has been insurmountable despite changes in consumer protection laws, specifically FACTA 2003 and state security freezes (random nationwide enactments after 2005 bank data thefts and arrests).

6. The criminal activities have and continue to be pervasive in Pennsylvania. After experiencing identity theft at every level – medical, employment, criminal (Pennsylvania DMV, tax fraud via H&R Block, bank fraud via Pennsylvania based Commerce Bank, presently TD Bank) and financial (utilities, phones, bogus addresses and aliases) – obtaining and maintaining accurate and updated credit reports has been *impossible* since 2005, despite my ongoing efforts to dispute fraud directly with creditors/debt collectors and the credit bureaus, *simultaneously*. The Defendants are intentionally breaking the law because the vast majority of consumers do not have the wherewithal, time or emotional strength to challenge them. Neither do I, but I will push through the pain and anguish for resolve.

PARTIES

7. Plaintiff Keisha Jones, acting Pro Se for her Complaint against the Defendants is a life long New York resident. Plaintiff is not an attorney.

8. Equifax is a credit reporting agency and publicly traded company listed on the New York Stock Exchange, headquartered in Georgia. Its website states, “Equifax empowers businesses and consumers with information they can trust. With a strong heritage of innovation and leadership, we leverage our unique data, advanced analytics and proprietary technology to

enrich the performance of businesses and the lives of consumers.” (Sourced 12/9/2011 www.equifax.com/about_equifax)

9. Upon information and belief, Defendant Experian, also known as Experian Americas, is the California based arm of global credit reporting agency Experian PLC.

10. Upon information and belief, Defendant TransUnion is a private corporation and credit reporting agency headquartered in Chicago, IL.

11. Upon information and belief, Defendant Bilateral Credit Corp, LLC is a debt collector and foreign Limited Liability Corporation in New York County.

12. Upon information and belief, Defendant Hahnemann University Hospital’s website states “Located in the heart of Philadelphia, Hahnemann University Hospital is a tertiary care institution with a large percentage of beds dedicated to intensive care.”

13. Upon information and belief, Defendant Central Financial Control is a questionable debt collector in Anaheim, CA, engaged by Defendant Hahnemann University Hospital to pursue collection of fraudulent debts.

14. Upon information and belief, Defendant Comcast is a cable TV and internet service provider headquartered in Philadelphia, Pennsylvania.

FACTUAL ALLEGATIONS

15. The Defendants have violated the Fair Credit Reporting Act (FCRA), Fair Debt Collection Practices Act (FDCPA) and applicable New York laws, *including but not limited to*, willful and negligent non-compliance 15 U.S.C. § 1681, negligent enablement of identity fraud, invasion of privacy, deceptive practices, breach of contract and fiduciary duty.

16. Upon information and belief, the Defendants have violated laws by:

a. matching or verifying my personal information with third parties, such as utility companies, using ID verification products/services, without my knowledge or consent (credit bureaus);

b. knowingly selling fraudulent accounts to questionable debt collectors (previous conversations with Hahnemann University Hospital -- inquiry resolutions services department, medical records -- confirms that my handwritten letter and personal information does not match the hospital's records, coupled with regular mail returned "not deliverable" 12/2/2011 to Central Financial Control's address noted on my Experian credit report re: partial account numbers 545452472 and 617101704);

c. making it near impossible to report and dispute fraud by providing inaccurate and incomplete information (Comcast 11/19/2011 outgoing voicemail message with instructions that only provides a long distance fax number to dispute fraud).

d. falsifying account information and reporting the same on my credit reports (Bilateral);

e. ignoring extended fraud alerts which entitles me to additional free credit reports, arbitrarily refusing my FACTA credit report requests while claiming that my FACTA request was mailed (Equifax) and delaying my FACTA credit report requests (called 877-322-8228 in October 2011 and November 2011 and I went online, more than once, to request my reports (Equifax letters dated 10/2, 11/18; Experian letter dated 10/1; TransUnion documents dated 10/5, 11/21);

f. intentionally omitting hours of operation, accurate phone numbers and mailing addresses for disputes in general and for identity theft victims specifically on credit reports -- during 12/9/2011 conversation with Experian rep "Randall" (800-509-8495), he stated I must be

transferred to the fraud department aka "Special Services Department" (I specifically asked for and was told there is no direct phone number for the fraud department), however, while on hold for the fraud department, the automated message indicated unusually long hold times and advised to call back later by calling the fraud department 877-870-5640;

g. failing to properly investigate disputes and prevent or block disputed fraud from reappearing on my credit reports because creditors claim disputed fraud is valid;

h. insisting that I file police reports annually in order to dispute fraud (Experian);

i. altering information on my credit file without explanation (Equifax) or means to dispute fraudulent changes (automated phone number in letters could not process requests), contrary to Equifax's stance that it exists "to enrich ... the lives of consumers." (Sourced 12/9/2011 www.equifax.com/about_equifax);

j. incorrectly adding, deleting or omitting my consumer statement;

k. failing to identify companies conducting account reviews or "soft inquiries" and no means to dispute suspicious "regular inquiries" on my credit reports (called TransUnion 11/25/2011 800-680-7289 re: "FIA CSNA" and "regular inquiries" to no avail);

l. failing to maintain internal controls (Experian) evidenced by returned mail from alleged debt collector Central Financial Control and unsuccessful attempt to report the previous rep "Randall's" instructions to "google" the address and returned mail to fraud department or "Special Services Department" supervisor "Karen" on the "Majestic Team" at Experian on 12/9/2011 (after being ill advised, transferred, on hold and screaming at two Experian reps, I hung up after 30 minutes, without speaking to supervisor "Karen" on the "Majestic Team");

17. Emotional distress – depression, nervousness, loss of appetite/weight, insomnia, anxiety, fear and worry – have been caused by the defendants' negligence.

JURY DEMAND

18. Plaintiff hereby demands a trial by jury of all issues so triable herein.

PRAYER FOR INJUNCTIVE AND OTHER RELIEF

WHEREFORE, Plaintiff seeks judgment in her favor for the following:

- a. That an order be entered declaring Defendant's actions described are in violation of the FCRA, FDCPA and applicable New York laws.
- b. That judgment be entered against Defendants for emotional distress, violations, damages (costs, statutory, compensatory, punitive) and any further relief as the Court may deem just and proper.
- c. That an order be entered instructing the Defendants to:
 - i. cease dissemination of my personal information and credit reports (headers, account reviews, soft inquiries, full reports, ID verification, information sharing, sale by debt collectors, et al) until the reports are accurate – permanently remove fraud, false and inaccurate information;
 - ii. explain what constitutes permissible use of / access to my credit reports with extended fraud alerts (7 years) and permanent security freezes in place and by whom;
 - iii. explain how creditors/debt collectors are authenticated given returned mail addressed to Central Financial Control (Experian report) and the FTC's 2006 settlement with ChoicePoint re: disseminating consumer information to third parties that turned out to be identity thieves;

- iv. provide procedures to proactively manage extended fraud alerts (additional report requests) and permanent security freezes (creditor PINs/lifts, change my permanent security freeze PINs);
- v. provide procedures to change my contact information and update my consumer statement;
- vi. provide complete audit trails of my credit files (2004 to present).

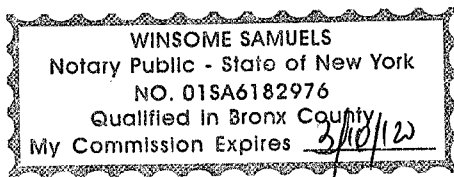
VERIFICATION

Keisha Jones, being duly sworn, says:

I am the Pro Se Plaintiff in the above entitled action. I have read the foregoing complaint and know the contents thereof, the same are true to my knowledge, except as to matters therein stated to be alleged on information and belief and as to those matters I believe them to be true.

Dated: December 9, 2011
New York, New York

Respectfully submitted,

A large, stylized handwritten signature in black ink.

Keisha Jones, Pro Se
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